

IMPLEMENTING LEGISLATION FOR THE
AGREEMENT BETWEEN THE GOVERNMENT OF
THE UNITED STATES AND THE GOVERNMENT
OF THE RUSSIAN FEDERATION ON THE
CONSERVATION AND MANAGEMENT OF THE
ALASKA-CHUKOTKA POLAR BEAR POPULATION

HEARING
BEFORE THE
COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE
ONE HUNDRED NINTH CONGRESS
FIRST SESSION

NOVEMBER 14, 2005

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

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MONDAY, NOVEMBER 14, 2005

**U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
*Washington DC.***

The Committee met, pursuant to notice, at 11:30 a.m. in room SD-562, Dirksen Senate Office Building, Hon. Ted Stevens, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. TED STEVENS, U.S. SENATOR FROM ALASKA

The CHAIRMAN. Good morning. Today's hearing will discuss the need to establish a regulatory framework in both Russia and Alaska for the shared polar bear population. In order to establish this regulatory course of action we need to pass legislation that will implement the agreement between the United States and Russia on the conservation and management of polar bears.

The United States and Russia signed a bilateral Polar Bear Conservation agreement, also known as the "Polar Bear Treaty," for the shared polar bear population in October of 2000. The purpose of the Polar Bear Treaty is to assure long-term, science-based conservation of the polar bear population and includes binding harvest limits.

Currently illegal harvest of polar bears in Russia is significant and at levels that in the past caused population depletion. In Alaska, subsistence hunting by Natives is unrestricted provided the population is not depleted. However, without implementing legislation to enforce agreements on the conservation and management of the polar bear population, depletion could result.

Today's hearing will have two witnesses. Mr. Marshall Jones, Deputy Director of the U.S. Fish and Wildlife Service, at the Department of the Interior, and Mr. Charlie Johnson. Charlie is Executive Director of the Alaska Nanuq Commission.

On short notice Charlie was kind enough to fly here from Nome, Alaska. For those of you that don't know how far away Nome is

from Washington DC, the distance is about as far as it is from here to Paris, France.

Charlie, I really appreciate you coming so far on short notice. The Committee really appreciates you coming a short distance. Let me yield to our Co-Chairman to see if he has remarks.

**STATEMENT OF HON. DANIEL K. INOUYE,
U.S. SENATOR FROM HAWAII**

Senator INOUYE. Well Mr. Chairman, I'm pleased that you invited me to join you today. It is a new issue for me, but I can assure you that I support this Agreement, and I support its implementation and I'll do my best to see that this is carried out. I gather that we may have a mark-up soon on this.

The CHAIRMAN. We hope to, that's why we're having the hearing today, we hope to have the mark-up on Thursday, Senator.

Senator INOUYE. If I may, may I have my statement placed in the record?

The CHAIRMAN. Yes, without objection.

[The prepared statement of Senator Inouye follows:]

PREPARED STATEMENT OF HON. DANIEL K. INOUYE, U.S. SENATOR FROM HAWAII

The U.S.-Russia Polar Bear Agreement is very important—both for the preservation of the population of polar bears that live in Alaska and in parts of Russia—and for the Native peoples who have long relied on these animals for their subsistence needs.

The Agreement establishes a structure for bilateral management of this shared population, including the setting of binding harvest limits, bans on certain hunting practices, and close scientific cooperation. Importantly, Native organizations in both countries will play a major role in managing and implementing the Agreement.

This Agreement was signed in 2000 by the governments of the United States and Russia. The Senate has already provided its advice and consent on the Agreement.

The next step is to pass implementing legislation. I look forward to working with Chairman Stevens to develop and pass such legislation quickly.

The CHAIRMAN. Let us first hear from Mr. Jones.

**STATEMENT OF MARSHALL JONES, DEPUTY DIRECTOR, U.S.
FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE
INTERIOR**

Mr. JONES. Thank you Mr. Chairman, and Senator Inouye. Thank you for the opportunity to testify on the U.S.-Russia Polar Bear Agreement. I'm Marshall Jones, the Deputy Director of the U.S. Fish and Wildlife Service. We greatly appreciate your interest in this Agreement and your leadership in moving the implementing legislation forward.

The United States and Russia share the Bering-Chukchi Sea polar bear population which is now facing significant currently unregulated harvest. In Russia despite the 1956 all-union ban on polar bear hunting, harvest is now occurring at levels that could deplete the population when combined with the legal subsistence harvest in Alaska. In recognition of the need for unified management of the shared polar bear population the United States and Russian Representatives negotiated this bilateral Agreement on the Conservation and Management of the Chukchi Sea Polar Bear Population. That effort, Mr. Chairman, started in 1990, with the first meetings of the two sides. That's 15 years ago, and so this is

a very historic day for us, for Alaskan Native peoples, for peoples in Russia and for polar bears.

The Agreement was signed by the two countries in October of 2000 and Senate advice and consent was provided on the treaty in July of 2003. What we now need is what is before us now, what you've introduced, or are introducing—the implementing legislation. The purpose of the Polar Bear Agreement is to ensure the long-term science-based conservation of the Alaska Chukotka polar bear population. The Agreement addresses a particular concern, which is the widely different harvest provisions and practices on the U.S. side and the Russian side of the population. While lawful harvest by Alaska Natives for subsistence purposes occurs in Alaska, U.S. law does not allow restriction of this harvest, unless the polar bear population were to become depleted under the Marine Mammal Act, or threatened or endangered under the Endangered Species Act. The Agreement and the implementing legislation which you now have before you will represent a major step forward for polar bear conservation, and will enhance our collaborative efforts with Russia for shared natural resources.

We look forward to working with the Committee on the legislation to implement the Agreement.

Mr. Chairman, in closing I would like to state that the Administration is committed to conserving and managing polar bears by working with our partners in a cooperative fashion. Our partners in this effort have included various agencies of the U.S. Government, the Marine Mammal Commission, the Department of State, in addition to the Fish and Wildlife Service, the Alaska Department of Fish and Game, non-governmental organizations and most especially our Alaska Native partners.

And so it's a great pleasure to be here with Charlie Johnson, and, Mr. Chairman, we want to emphasize our commitment to continue this collaboration with the State of Alaska and with Alaska Native Community to conserve and manage polar bears.

Mr. Chairman, this concludes my remarks, and I'd be happy to answer any questions.

[The prepared statement of Mr. Jones follows:]

PREPARED STATEMENT OF MARSHALL JONES, DEPUTY DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and Members of the Committee, thank you for the opportunity to appear before you today to discuss the Agreement Between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population.

Amendments to Section 113(d) of the Marine Mammal Protection Act enacted in 1994 directed the Service, for the United States, to enter into negotiations with Russia to enhance the conservation and management of polar bear stocks. Since 1990, the Service has worked to improve cooperative research and management programs with Russia for the conservation of polar bears. Significant progress has been made in this effort. Building on this progress, United States and Russian representatives negotiated a bilateral agreement on the conservation and management of the shared Chukotka polar bear population of the Chukchi and Bering Seas in February 1998. This landmark environmental conservation agreement was signed by the governments of United States and Russia on October 16, 2000, with Senate advice and consent provided on July 31, 2003. Legislation will be necessary to implement the Agreement, and in May 2004 the Administration transmitted proposed implementing legislation to Congress. Implementation of this bilateral Polar Bear Agreement will represent a major step forward for polar bear conservation, and enhance our collaborative efforts with Russia to conserve shared natural resources.

The proposed U.S.-Russia Agreement would establish a common legal, scientific, and administrative framework for the conservation and management of the Alaska-Chukotka polar bear population. The purpose of the Polar Bear Agreement is to ensure the long-term, science-based conservation of the Alaska-Chukotka polar bear population. At present, polar bear harvest provisions and practices differ widely between the U.S. and Russia. Unknown (but potentially significant) levels of illegal harvest are occurring in Chukotka. While lawful harvest by Alaska Natives for subsistence purposes occurs in Alaska, U.S. law does not allow restrictions of this harvest unless a polar bear population is designated as "depleted" under the Marine Mammal Protection Act, or listed as "threatened or endangered" under the Endangered Species Act. The Russian Federation will soon open a lawful polar bear hunting opportunity for subsistence purposes by Native Chukotkans. When this happens, there will be an immediate, pressing need for the coordination of harvest restrictions on both sides of the border to prevent an unsustainable combined harvest. Such harvest could lead to the Alaska-Chukotka polar bear population becoming depleted, threatened, or endangered. The Agreement will create a management framework to prevent this from happening.

The Polar Bear Agreement calls for the development of binding harvest limits at sustainable levels, prohibits the harvest of denning bears and females with cubs, and restricts certain methods of hunting, such as hunting with aircraft or large vessels. Commercial uses of harvested polar bears are limited to the creation and sale of handicrafts by Native people. The Agreement enhances support for collaborative research by the United States and Russia and provides a mechanism to coordinate these efforts with Native organizations in each country. This will significantly increase our understanding of the biology of polar bears, which are difficult to study as they inhabit one of the most inaccessible and harsh environments in the world.

The Polar Bear Agreement was developed through a sustained, inclusive and collaborative process over a 10 year period. The Agreement was fully coordinated with the Alaska Native community, representatives of the State of Alaska, the environmental community, and the Marine Mammal Commission. Representatives of these constituencies were members of the United States delegation that negotiated the terms of the Agreement and are fully committed to its goals.

The Administration has reviewed the Polar Bear Agreement and has determined that implementation will result in tangible, on-the-ground benefits to polar bears, the flagship symbol of the Arctic. Our review also indicated that legislation is necessary to fully implement the science-based management measures called for in the Agreement. With this in mind, on May 20, 2004, the Administration transmitted to Congress proposed implementing legislation, which would, among other things, authorize the Department to establish prohibitions against take and provide the enforcement authority for implementing the Agreement; establish the membership of the United States section of the U.S.-Russia Polar Bear Commission; clarify voting arrangements for Polar Bear Commission decisions; and authorize appropriations for activities associated with implementation of the Agreement. We appreciate your interest and support prompt passage of appropriate implementing legislation.

Mr. Chairman, in closing, I would like to state that this Administration is committed to conserving and managing polar bears by working with our partners in a cooperative fashion. In particular, I want to emphasize the commitment to continued collaboration with the State of Alaska, and our partners in the Native community to conserve and manage this species. We look forward to working with you and Members of the Committee to implement the U.S.-Russia Polar Bear Agreement.

Mr. Chairman, this concludes my remarks. I would be happy to answer any questions.

STATEMENT OF CHARLES H. JOHNSON, EXECUTIVE DIRECTOR, ALASKA NANUUQ COMMISSION

Mr. JOHNSON. Thank you Mr. Chairman, I am Charlie Johnson, Executive Director of the Alaska Nanuuq Commission which was formed in 1994 to represent the villages and hunters that harvest polar bears in Alaska. We are in our ninth year of a Cooperative Agreement with the U.S. Fish and Wildlife Service for the Conservation of Polar Bears in Alaska. Our current agreement includes feeding ecology studies on the North Slope, public education, predator prey studies, human bear interactions and very importantly cooperation with the Natives of Chukotka in Russia on the con-

servation of the shared polar bear population. We also have a cooperative agreement with the National Park Service Beringian Heritage Program for polar bear studies in Chukotka and with the National Marine Fisheries Service for ice seal studies in Alaska.

The Alaska Nanuuq Commission participated as an equal partner with the U.S. Fish and Wildlife Service in the negotiation of this Polar Bear Agreement. Both the Service and Nanuuq Commission encouraged Russia to include representatives of the Native Peoples of Chukotka in this negotiation process, and for the most part they were involved.

When the Russian ambassador to the United States Yuri Ushikov signed the Treaty on October 2000, he declared it the most democratic document that Russia had ever agreed to since the Treaty includes Alaska and Chukotka Natives on the Joint Commission that will set harvest limits and policies.

For the first time in their history, Native Peoples of Chukotka are involved with the management of their marine subsistence resources, due largely to the way the Polar Bear Treaty was negotiated. The Association of Traditional Marine Mammal Hunters of Chukotka, a real grass roots organization participated with the Government of Chukotka and the Ministry of Natural Resources in the development of a very sound Polar Bear Management Plan for Chukotka. The plan was largely modeled on the Alaska Polar Bear Management Plan developed by the Fish and Wildlife Service.

However the Ministry has informed us that they will not put the plan into effect in Chukotka including enforcement and protected areas will not be put into effect until the U.S. enacts the treaty. We find this very disturbing because as Marshall has mentioned and you have mentioned we know that polar bears are being harvested at alarming numbers in Chukotka. These numbers are unsustainable and they're similar to the level of harvest—the sport harvest prior to 1973.

The enactment of this treaty is critical for the conservation and long term survival and conservation of our population. Additionally the Treaty has had a dramatic effect on promoting democracy in Chukotka. When we conducted interviews of elders in Chukotka with the Chukotka Association on their observations of polar bear habitat use, they were amazed that anyone, including government and NGO representatives were interested in their opinions and observations. For the first time their traditional knowledge has been used and valued by management.

The Joint Commission created by that treaty will set harvest limits. However in order to maintain scientifically based sustainable harvest limits we must have a better estimate of the population size. Based on observations we estimate this population to be between 2,000 to 5,000 animals. The demographics of harvested animals indicate a healthy and stable population. So conducting a comprehensive population survey is the most pressing issue for these bears. This will take money and we feel that even if the U.S. has to bear the bulk of this cost we feel that it is worth the expense and very necessary.

The Alaska Nanuuq Commission and the Association of Traditional Marine Mammal Hunters have drafted a Native to Native

Agreement that will implement this Treaty. This Agreement will distribute quotas and insure compliance with the harvest limits.

This draft Native to Native Agreement is modeled after an Agreement between the Inupiat of Alaska's North Slope and the Inuvialuit of the Northwest Territories of Canada on the Management of the Beaufort Sea population. This voluntary Agreement was drafted in 1980 when the Native Peoples became concerned that the harvest numbers might not be sustainable. The Agreement they drafted established a voluntary quota of 40 bears for each side of the Alaska/Canadian Border. More importantly this voluntary Agreement protects females and females with cubs. As a result this population is stable and is thought to be growing, and the voluntary quota has not been exceeded and approximately only 85 percent of the quotas have been harvested.

The U.S. Fish and Wildlife Service and the Ministry of Natural Resources recognizes the value of the involvement of the Native people, and support the development of the Native to Native Agreement. Mr. Chairman, the Alaska Nanuuq Commission wants our descendants and all people to enjoy polar bears as we have and this legislation will ensure that,

Thank you.

[The prepared statement of Mr. Johnson follows:]

PREPARED STATEMENT OF CHARLES H. JOHNSON, EXECUTIVE DIRECTOR,
ALASKA NANUUQ COMMISSION

Mr. Chairman,

I am Charles Johnson, Executive Director of the Alaska Nanuuq Commission which was formed in 1994 to represent the villages and hunters that harvest polar bears in Alaska. We are in our ninth year of a Cooperative Agreement with the U.S. Fish and Wildlife Service for the Conservation of Polar Bears in Alaska. Our current Agreement includes feeding ecology studies on the North Slope, public education, predator prey studies, human bear interactions and very importantly cooperation with the Natives of Chukotka in Russia on the conservation of the shared polar bear population. We also have a cooperative agreement with the National Park Service Beringian Heritage Program for polar bear studies in Chukotka and with the National Marine Fisheries Service for ice seal studies. Ice seals are the primary prey for polar bears.

The Alaska Nanuuq Commission participated as an equal partner with the U.S. Fish and Wildlife Service on the negotiation of the polar bear treaty with Russia. Both the Service and Nanuuq Commission encouraged Russia to include representatives of the Native Peoples of Chukotka and for the most part they were included.

When the Russian Ambassador to the United States Yuri Ushikov signed the Treaty on October 16, 2000, five years ago, he declared it the most democratic document that Russia had ever agreed to since the Treaty includes Alaska and Chukotka Natives on the Joint Commission that will set harvest limits and policies.

For the first time in their history, Native Peoples of Chukotka are involved with the management of their marine subsistence resources, due largely to the way the Polar Bear Treaty was negotiated. The Association of Traditional Marine Mammal Hunters of Chukotka, a real grass roots organization participated with the Government of Chukotka and the Ministry of Natural Resources in the development of a very sound Polar Bear Management Plan for Chukotka. The plan was largely modeled on the Alaska Polar Bear Management Plan developed by the Fish and Wildlife Service.

However the Ministry has informed both the Service and Nanuuq Commission that the plan including enforcement and protected areas will not be put into effect until the U.S. enacts the treaty. This is very disturbing for us since the Chukotka Association has informed us that polar bears are now being harvested at alarming rates similar to pre-1973 sport hunting numbers which caused a serious decline in polar bear numbers. It is estimated that up to 200 bears are taken in Chukotka each year.

We believe that this polar bear population is healthy and stable, however if these large numbers are being harvested there is a real threat of a decline in numbers. In Alaska we harvest an average of 30–40 bears annually out of this population.

The enactment of the treaty is critical for the conservation of the Alaska Chukotka polar bear population. Additionally the Treaty has had a dramatic effect on promoting democracy in Chukotka. When we conducted interviews of elders in Chukotka with the Chukotka Association on polar bear habitat use, they were amazed that anybody, including government representatives, were interested in their observations and opinions.

The Joint Commission created by the Treaty will set harvest limits. However in order to maintain sustainable harvest limits we must have a better population estimate. We estimate that this population has 2,000 to 5,000 bears. Conducting a comprehensive population survey is the most pressing issue for these bears. That will take money and even if the U.S. has to shoulder the bulk of this expense we feel it is worth the cost.

The Alaska Nanuuq Commission and the Association of Traditional Marine Mammal Hunters of Chukotka have drafted a Native to Native Agreement that will implement the Treaty. This Agreement will distribute the quotas and insure compliance with the harvest limits. Both the U.S. Fish and Wildlife Service and the Ministry of Natural Resources recognize the necessity and value of the involvement of the Native organizations in order to make the treaty work.

This Agreement is modeled after the highly successful volunteer Agreement between the Inupiat of the North Slope and the Inuvialuit of the Northwest Territories of Canada on the Management of the Beaufort Sea Polar Bear Population. In 1980 the Inupiat and Inuvialuit became concerned that harvest numbers out of this polar bear population were unsustainable and negotiated an agreement that limited the harvest to 40 bears each, very importantly the Agreement protected females and females with cubs. On a 10-year average only 85 percent of the quota have been harvested. As a result of this Agreement the Beaufort Sea polar bear population is stable and is thought to be growing.

Mr. Chairman the Alaska Nanuuq Commission want our descendants and all people to enjoy polar bears like we have and this legislation will guarantee that.

Thank you for this opportunity.

The CHAIRMAN. Thank you very much. It's my understanding that we ratified the Treaty in 2004, I believe, and that this legislation really is necessary to give your commission and the federal agencies the authority it needs to assure Russia that we will comply with the Treaty, is that right Charlie?

Mr. JOHNSON. That's correct. We've been—as I mentioned we've been told by the Russian authorities that they will not enforce the management plans that they developed until the U.S. has passed enabling legislation. So this is why we feel this is so very necessary.

The CHAIRMAN. Mr. Jones, as part of your Fish and Wildlife Service, is your service prepared to back up the Commission in this plan, I believe we've got a cooperative agreement now, between the Fish and Wildlife Service and the Commission, is that correct?

Mr. JONES. That's correct Mr. Chairman, and we're fully prepared to work with the Nanuuq Commission to implement the agreement. We think the legislation that you've introduced provides a way for us to do that effectively. Once we get the legislation hopefully enacted, signed by the President, then we will plan to move forward very promptly to implement this, so that we can address the issues that Charlie Johnson has outlined. Issues which are mostly on the Russian side, but we need to do our part, so that then we can sit down with the Russians and negotiate harvest limits together.

The CHAIRMAN. Very good. Mr. Co-Chairman, do you have any questions?

Senator INOUYE. Thank you. Have the Russians ratified the Treaty?

Mr. JONES. Yes sir they have.

Senator INOUYE. Mr. Jones, you spoke of depletion. I can understand extinction, but what do you mean by depletion?

Mr. JONES. Senator, depletion is a term from the Marine Mammal Protection Act, which seeks to maintain an optimum sustainable population of the marine mammals that are covered by it, when their population declines.

And there are people who are more expert than I am on the scientific aspects of how this determination would be made, but when the population declines to the point where it no longer is maintaining that sustainable population, the Marine Mammal Act provides that you can designate the species as depleted at that point. Other provisions of the law come into play. One of those is that Native subsistence harvest can be regulated. Our goal is to see that the polar bear population never gets to that point where it is depleted, because we think that would be a failure of our collective management.

Instead we think we can work together.

Senator INOUYE. What stage are we in now?

Mr. JONES. Well, Senator, the population is worrisome but not at the point yet where we think we would need to make that designation of it being depleted. But we certainly see a trend that we're concerned about for the future. And this Agreement gives us the way to work together first of all. The U.S. Government, State of Alaska, and Alaska Native Communities, and then working across with counterparts in Russia to address harvest so that we can have a good sustainable harvest for subsistence purposes to provide for traditional lifestyles and traditional use but also make sure that that does not in any way threaten the population.

Senator INOUYE. How many do you have in the animal population in this area of concern?

Mr. JONES. Well population numbers are uncertain there. But let me look at Charlie Johnson, for the latest figures, 2,000?

Mr. JOHNSON. Somewhere between 2,000 and 5,000 based on the density observations. The density—the observations of the density of polar bears in the Bering Chukchi Sea which we share with Chukotka are very similar to those that are in the Beaufort Sea. The Beaufort Sea population is very healthy and is probably the most studied population in the world. And that population is estimated to be right now at 2,500.

Senator INOUYE. What are the mechanisms of enforcement, and regulation? How will you enforce the Agreement?

Mr. JONES. Well Senator, we have to work very closely with the Native communities. There are, I believe, 15 villages that are involved with the traditional polar bear harvest. And we believe that the best enforcement is the enforcement that would be through voluntary compliance that the communities themselves would enforce upon themselves. Of course there can always be the bad actors who might do something outside that.

The legislation does provide for penalties for that, but our goal would be to have cooperative efforts so that we're in agreement. We would also work very closely with our Russian counterparts and

we're prepared to provide help, law enforcement, and training, for example, for them so that they can do the same on their side of the border. That is where we have the real concerns right now. But the Russians have opened up and said they want to work with us.

The CHAIRMAN. If the Senator would yield on that. I'm not sure the Senator recalls that we prohibited non-Natives from harvesting polar bear. Only Natives can harvest polar bear, and then only consistent with the findings of the commission working with you. Isn't that still correct, Charlie?

Mr. JOHNSON. That's correct.

The CHAIRMAN. Is there a similar paradigm for working in Russia now, that they could enforce if we pass this law?

Mr. JOHNSON. Yes, there is. As I mentioned there's what is called the Association of Traditional Marine Mammal Hunters. They have five commissions: The Walrus Commission, the Polar Bear Commission, a Bowhead Whale Commission, a Beluga Commission, and a Salmon and Seal Commission. Right now the government has assigned them the responsibility, for example, of quotas on various types of marine mammals, such as bowheads and gray whale harvests.

So one of the very possible benefits in Chukotka that this Treaty has developed is it has kind of promoted the local participation of the Native people with the governments in the management of their resources.

The CHAIRMAN. If I could interrupt you. Senator, I do believe it is a very great example of international cooperation that is coming about because of the two commissions from the Indigenous people.

Senator INOUYE. So I gather, Mr. Johnson, that you feel that the role that Native peoples play is not only real but meaningful?

Mr. JOHNSON. Yes it is, it's very much so. And as I mentioned, we based this on the voluntary Agreement that the Inupiat of the North Slope and the Inuvialuit of the Northwest Territories of Canada. We've established with them a quota system that is voluntary and on a 10-year average the quota would be a total of 800 animals from the last 10 years, 680 were harvested. So we're only about 85 percent of the quotas and we haven't exceeded the quotas.

Senator INOUYE. Thank you very much Mr. Johnson, Mr. Jones.

The CHAIRMAN. Do you anticipate Mr. Jones, a similar quota being enforceable in Russia if we pass this legislation?

Mr. JONES. Well we do. We intend to work very closely with the Russian Government. The legislation would set up a commission with membership, one each from the Russian Government and the Russian Native Communities to parallel one each from the U.S. side, and the Alaska Native Community. And we would work together with them. The Russians certainly have some problems on their side, but they've shown good faith in negotiating the Treaty and they are clearly—they are eager to get on with it and implement it.

The CHAIRMAN. Will they enforce the rule that only the Native people can harvest polar bears and then only for subsistence?

Mr. JONES. This Agreement provides for that. It would only be for subsistence harvest, and only then for traditional Native handicrafts and subsistence use, and that's also consistent with our

broader obligations under other Treaties, so we think the Russians want to do the right thing and we want to help them.

The CHAIRMAN. Any other questions?

Senator INOUYE. No.

The CHAIRMAN. We appreciate very much your coming in, Mr. Jones, and particularly Charlie, because I know we didn't put in a call to you until last week. We wanted to get this done this year if it's possible. I didn't know the Russians were not going forward until we do pass the enabling legislation. That is really the reason we sent the emergency call to you and I'm glad you came down. I appreciate it very much.

Mr. JOHNSON. Thank you.

The CHAIRMAN. If there's nothing further to come before the Committee we will adjourn until Thursday.

[Whereupon, at 11:50 a.m., the Committee was adjourned.]

